Attorney Docket No.: SONY-03000

Patent

OCT 2 8 2004 8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:

Tree

Serial No.: 40/017,947 09/827,472

Filed: December 7, 2001

For: E-MARKER WATCH BAND

Commissioner for Patents Alexandria, VA 22313

Art Unit: 2841

Examiner: Vit Miska

TRANSMITTAL

· Sir/Madam:

Please find enclosed a copy of the amendment/response to the Office Action mailed <u>July 26, 2004</u> and a post card.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit overpayment to Deposit Account No: <u>50-1963</u>. A duplicate copy of this authorization is enclosed.

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Dated: October 25, 2004

Richard H. Butler

Registration No. 40,932

Respectfully submitted

Please Send Correspondence to: Valley Oak Law 5655 Silver Creek Valley Road #106 San Jose, CA 95138 (408)223-9763 I hereby certify that this document and any document referenced herein is being deposited with the USPS as first class mail addressed to Commissioner for Patents, PO Box 1450, Alexandria, VA 22313 on 1012504

Richard H. Butler